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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Victor Lyons and Roger Scott,

Plaintiffs

v.

United States of America, et al.,

Defendants

Case No.: 2:17-cv-02262-JAD-NJK

**Order Adopting Report and  
Recommendation and Dismissing Case**

[ECF No. 8]

9 Pro se plaintiffs Victor Lyons and Roger Scott allege that they suffer from post-traumatic  
10 stress disorder (PTSD) as a result of their service in the Vietnam War and that the Department of  
11 Veterans Affairs (VA) has denied them treatment for their condition.<sup>1</sup> Since filing their  
12 complaint, Lyons died.<sup>2</sup> After reviewing the amended complaint,<sup>3</sup> Magistrate Judge Nancy  
13 Koppe recommends that I dismiss this entire case for lack of jurisdiction based on a failure to  
14 allege that administrative remedies have been exhausted.<sup>4</sup> Judge Koppe issued her report and  
15 recommendation on April 3, 2018, making April 17, 2018, the deadline to file objections.<sup>5</sup> That  
16 deadline has passed, and Scott has not objected.

17 “[N]o review is required of a magistrate judge’s report and recommendation unless  
18 objections are filed.”<sup>6</sup> Accordingly, with good cause appearing and no reason to delay, IT IS  
19 HEREBY ORDERED that Magistrate Judge Koppe’s report and recommendation [ECF No. 8]

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<sup>1</sup> ECF No. 1-2.

<sup>2</sup> ECF No. 6 at 3, 15.

<sup>3</sup> Magistrate Judge Koppe previously found the original complaint to be deficient in a number of ways, so she granted Scott leave to amend it to cure those deficiencies. ECF No. 4.

<sup>4</sup> ECF No. 8 at 3.

<sup>5</sup> ECF No. 8.

<sup>6</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 is ACCEPTED and ADOPTED. Plaintiffs' claims are DISMISSED without prejudice. The  
2 Clerk of Court is directed to ENTER JUDGMENT accordingly and CLOSE THIS CASE.

3 Dated: April 23, 2018

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U.S. District Judge Jennifer A. Dorsey

